

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

FROST SOLUTIONS, LLC,

Plaintiff,

v.

PATRICK BAGLIEN, CHRISTOPHER LAREAU,
and VUE ROBOTICS, LLC,

Defendants.

Civ. Action No. 1:22-cv-00401-SE

**ASSENTED-TO MOTION TO EXTEND DEADLINE TO RESPOND TO PLAINTIFF'S
MOTION TO DISMISS COUNTERCLAIMS**

Defendants Patrick Baglien, Christopher Lareau, and Vue Robotics, LLC (together, “Defendants”) hereby move, pursuant to Local Rule 7.2(a), to extend their May 8, 2024 deadline to respond to Plaintiff’s Motion to Dismiss Counterclaims to May 22, 2024. In support of this Motion, Defendants state as follows:

1. On April 3, 2024, Defendants filed their Counterclaims against Plaintiff. Doc. no. 72.
2. On April 24, 2024, Plaintiff moved to dismiss (the “Motion to Dismiss”) the Defendants’ Counterclaims. *See* Doc. no. 83.
3. Under Local Rule 7.1(b), Defendants’ deadline to respond to Plaintiff’s Motion to Dismiss is May 8, 2024.
4. Defendants request a modest, two-week extension of this deadline to May 22, 2024.
5. Cause exists for this extension, given that Plaintiff, Frost Solution, LLC, and Defendants (the “parties”) recently jointly moved for a pretrial conference pursuant to Fed. R.

Civ. P. 16 to discuss their desired plan to: (a) promptly schedule a zoom mediation with Magistrate Judge Johnstone; (b) stay discovery and rulings on all pending motions until after completion of the scheduled mediation; and (c) reasonably extend existing and future litigation deadlines. *See* Doc. No. 84. As stated in that motion, the parties believe that this plan may save the resources of the Court and the parties. *Id.*

6. Under the parties' desired plan, any deadlines associated with Plaintiff's Motion to Dismiss Counterclaims, along with any rulings on the Motion, would be stayed while the parties mediate the case. Accordingly, Defendants believe that extending the deadline to respond to Plaintiff's Motion to Dismiss will help promote efficiency by ensuring that additional resources are not expended on the Motion to Dismiss before the Court is able to rule on the parties' proposed request for a conference and (to the extent a conference is allowed) their desired mediation plan.

7. Plaintiff assents to the relief requested in this Motion.

WHEREFORE, Defendants respectfully request that the Court issue an order:

- A. Extending Plaintiff's deadline to respond to Defendant's Motion to Dismiss Counterclaims to May 22, 2024; and
- B. Granting such further and additional relief as the Court deems just and equitable.

Dated: May 8, 2024

Respectfully submitted,

PATRICK BAGLIEN, CHRISTOPHER

LAREAU, AND VUE ROBOTICS, LLC

/s/ Ryan P. Lirette

David W. McGrath (NH Bar No. 9347)

James P. Harris (N.H. Bar No. 15336)

Ryan P. Lirette (N.H. Bar No. 19561)

Sheehan Phinney Bass & Green, P.A.

1000 Elm Street, 17th Floor

Manchester, NH 03101

Tel: (603)627-8255

Fax: (603) 641-2349

dmcgrath@sheehan.com

jharris@sheehan.com

rlirette@sheehan.com

Kierstan E. Schultz (N.H. Bar No. 20682)

NIXON PEABODY LLP

900 Elm Street, 14th Floor

Manchester, NH 03101

Tel: (603) 628-4031

Fax: (603) 628-4040

Email: kschultz@nixonpeabody.com

Jason C. Kravitz (admitted *pro hac vice*)

Gina M. McCreadie (admitted *pro hac vice*)

NIXON PEABODY LLP

Exchange Place 53 State Street

Boston, Massachusetts 02109

Tel: (617) 345-1000

Fax: (617) 345-1300

Email: jkravitz@nixonpeabody.com

gmccreadie@nixonpeabody.com

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically served copies of this document on all counsel of record via the Court's CM/ECF system, pursuant to Fed. R. Civ. P. 5(b)(2)(E).

Dated: May 9, 2024

/s/ Ryan P. Lirette
Ryan P. Lirette

CERTIFICATE OF COMPLIANCE WITH RULE 7.1(c)

Pursuant to Local Rule 7.1(c), I hereby certify that a good faith attempt was made to obtain concurrence to the relief sought.

Dated: May 9, 2024

/s/ Ryan P. Lirette
Ryan P. Lirette